



GE  
159 Plastics Avenue  
Pittsfield, MA 01201  
USA

*Transmitted via Overnight Courier*

December 17, 2009

Mr. Richard Fisher  
GE Facility Project Manager  
United States Environmental Protection Agency  
1 Congress Street, Suite 1100 (HBO)  
Boston, MA 02114-2023

Mr. Michael Gorski  
Regional Director  
Western Regional Office  
Department of Environmental Protection  
436 Dwight Street  
Springfield, MA 01103

**Re: GE-Pittsfield/Housatonic River Site  
Newell Street Area I (GECD440)  
Summary of 2009 Conditional Solution Inspection Activities**

Dear Mr. Fisher and Mr. Gorski:

On November 18, 2009, the General Electric Company (GE) performed an inspection of properties located within the Newell Street Area I Removal Action Area (RAA) at which Conditional Solutions have been implemented under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Those properties are Parcels J9-23-13 (including adjacent portion of undeveloped Ontario Street), J9-23-17, J9-23-18, J9-23-19, -20, & -21, J9-23-22, and J9-23-25. GE has sent letters to the owners of these properties, notifying them of the implementation of Conditional Solutions at their properties. For such non-GE-owned properties at which a Conditional Solution has been implemented, the CD requires certain annual post-remediation review and inspection activities. The November 2009 inspection was conducted in accordance with Paragraphs 36 and 38 and Appendix Q of the CD and GE's *Final Completion Report for the Newell Street Area I Removal Action* (Final Completion Report; July 2008), which was approved by EPA on August 27, 2008.

As part of these activities, GE reviewed the most recent property records from the Pittsfield Tax Assessor's Office, as well as the deed records at the Berkshire Middle District Registry of Deeds, and determined there has not been a change in ownership of any of the parcels subject to a Conditional Solution since the last Conditional Solution inspection of these properties in November 2008. In addition, GE reviewed the Final Completion Report, which describes the Conditional Solutions, as well as the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report, which depict current site features and topography.

GE also conducted a visual site inspection of each property to evaluate whether any of the following have occurred since the last Conditional Solution inspection in November 2008:

- Any change in activities or uses of the property that would be potentially inconsistent with the land use for which the Conditional Solution was implemented (i.e., recreational use at Parcel J9-23-17 and commercial/industrial use at the other above-listed properties);

- Installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil;
- Any excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth; and
- If any of the activities in the two preceding bullets are noted, any alteration of the surface grade, compared to that shown in the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or any recent plan that GE proposes and EPA approves).

The results of the November 2009 inspection were documented in a Conditional Solution Annual Inspection Checklist for each property. Copies of the completed forms are attached. As documented in these forms, the property record reviews indicated that there has been no change in ownership of these properties and the inspection showed no visual evidence of any of the above-listed activities or conditions at these properties since the November 2008 inspection.

As required by the CD, these properties will be inspected annually. Following each inspection, an inspection report will be prepared and submitted to EPA and the Massachusetts Department of Environmental Protection.

Please call me if you have any comments or questions.

Sincerely

Richard Gates / EGB

Richard Gates  
Remediation Project Manager

Attachments

cc: Dean Tagliaferro, EPA  
Tim Conway, EPA\*  
Holly Inglis, EPA  
Rose Howell, EPA\*  
Linda Palmieri, Weston  
John Ziegler, MDEP (2 copies)  
Eva Tor, MDEP\*  
Nancy E. Harper, MA AG\*  
Mayor James Ruberto, City of Pittsfield

Michael Carroll, GE\*  
Rod McLaren, GE\*  
Peter Wojcik, GE\*  
James Nuss, ARCADIS  
James Bieke, Goodwin Procter LLP  
Property Owners – Above-Listed Parcels  
GE Internal Repository

*\* cover letter only*

**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER**                      J9-23-13 (including adjacent portion of undeveloped Ontario Street)

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 770-4702  
Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
  
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
  
3. Has there been a change in ownership of this property?  
☒ No  
☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.  
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4. Review Completed Date:                      11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.  
Joanne Flescher (MDEP)  
Mike Argue (Weston/EPA)  
\_\_\_\_\_  
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?  
☒ No  
☐ Yes - If yes, describe below.  
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?  
☒ No  
☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.  
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?

☒ X

No

☐

Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009

**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER** J9-23-17

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 770-4702  
Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
- ☒ No
- ☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

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4. Review Completed Date: 11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.
- Joanne Flescher (MDEP)
- Mike Argue (Weston/EPA)
- \_\_\_\_\_  
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
- ☒ No
- ☐ Yes - If yes, describe below.
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
- ☒ No
- ☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?



No



Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009

**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER** J9-23-18

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 770-4702  
Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
- ☒ No
- ☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

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4. Review Completed Date: 11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.
- Joanne Flescher (MDEP)
- Mike Argue (Weston/EPA)
- \_\_\_\_\_  
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
- ☒ No
- ☐ Yes - If yes, describe below.
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
- ☒ No
- ☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?



No



Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009



**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER** J9-23-19, -20, & -21

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS

Phone Number: (585) 770-4702

Representing: GE

Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
- ☒ No
- ☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

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4. Review Completed Date: 11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS

Phone Number: (413) 822-1184

Representing: GE

Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.
- Joanne Flescher (MDEP)
- Mike Argue (Weston/EPA)
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
- ☒ No
- ☐ Yes - If yes, describe below.
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
- ☒ No
- ☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?



No



Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009

**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER** J9-23-22

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 770-4702  
Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
- ☒ No
- ☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

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4. Review Completed Date: 11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.
- Joanne Flescher (MDEP)
- Mike Argue (Weston/EPA)
- \_\_\_\_\_  
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
- ☒ No
- ☐ Yes - If yes, describe below.
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
- ☒ No
- ☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?



No



Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009

**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

**PARCEL NUMBER** J9-23-25

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 770-4702  
Review Start Date: 11/12/2009

1. ☒ Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings/engineered barrier plan included in Appendix E of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree have been reviewed.
2. ☒ Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
- ☒ No
- ☐ Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

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4. Review Completed Date: 11/12/2009

**VISUAL SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/18/2009

1. List other individuals and their company/agency that were present during the visual site inspection.
- Joanne Flescher (MDEP)
- Mike Argue (Weston/EPA)
- \_\_\_\_\_  
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2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
- ☒ No
- ☐ Yes - If yes, describe below.
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3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
- ☒ No
- ☐ Yes - If yes, describe below and show the location(s) of such activity on a plan.
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**CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I**

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?



No



Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on the as-built survey drawings/engineered barrier plan included in Appendix E of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawings and/or plan. (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

6. Inspection Completed Date: 11/18/2009